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U.S. APPLICATION NUMBER NO. 10/573,718	FIRST NAMED APPLICANT Tetsuo Toraya	ATTY. DOCKET NO. 08917-116US1 F 04-047-PCT
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69713
OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE, MA 02138

RECEIVED
JUN 1 2007

BY:.....

INTERNATIONAL APPLICATION NO. PCT/JP04/14213	
I.A. FILING DATE 09/29/2004	PRIORITY DATE 09/29/2003

CONFIRMATION NO. 6845

371 FORMALITIES LETTER



0C000000024118869

Date Mailed: 05/30/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 03/27/2006
- English Translation of the IA filed on 03/27/2006
- Copy of the International Search Report filed on 03/27/2006
- Preliminary Amendments filed on 03/27/2006
- Information Disclosure Statements filed on 03/27/2006
- Biochemical Sequence Diskette filed on 03/27/2006
- Oath or Declaration filed on 11/28/2006
- Biochemical Sequence Listing filed on 01/09/2007
- U.S. Basic National Fees filed on 03/27/2006
- Priority Documents filed on 03/27/2006

Applicant's response filed 01/09/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 09/28/2006 have not been completed.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR

1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

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If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/573,718	PCT/JP04/14213	08917-116US1 F 04-047-PCT

STIC Biotechnology Systems Branch

RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/573,718A
Source: IFWP
Date Processed by STIC: 1/16/07

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.4.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chknote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06

Raw Sequence Listing Error Summary

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER:

10/573,718A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleics
Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
Numbering The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length Sequence(s) _____ contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
"bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequence(s) _____. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
(OLD RULES) Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
(i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
This sequence is intentionally skipped
Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
(NEW RULES) Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence.
<210> sequence id number
<400> sequence id number
000
- 9 Use of n's or Xaa's
(NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10 Invalid <213>
Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence. (see item 11 below)
- 11 Use of <220> Sequence(s) _____ missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section or use "chemically synthesized" as explanation. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32), also Sec. 1.823 of Sequence Rules
- 12 PatentIn 2.0
"bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n/Xaa "n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid



IFWP

RAW SEQUENCE LISTING

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PATENT APPLICATION: US/10/573,718A

TIME: 17:05:19

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Does Not Comply
Corrected Diskette Needed

1 <110> APPLICANT: Toraya, Tetsuo
 2 Tobimatsu, Takamasa
 3 Yamanishi, Mamoru
 4 Mori, Kouichi
 5 Kajiuira, Hideki
 6 Yamada, Seiki
 7 Yuzuki, Michio
 8 Azuma, Muneaki
 9 Hara, Tetsuya
 10 Yasuda, Shinzo
 11 <120> TITLE OF INVENTION: Method for Production of 3-hydroxypropionaldehyde
 12 <130> FILE REFERENCE: 08917-116US1
 C--> 13 <140> CURRENT APPLICATION NUMBER: US/10/573,718A
 14 <141> CURRENT FILING DATE: 2006-03-27
 15 <150> PRIOR APPLICATION NUMBER: PCT/JP2004/014213
 16 <151> PRIOR FILING DATE: 2004-09-29
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 18 <151> PRIOR FILING DATE: 2003-09-29
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see pp 114

inhibit response-see item 10 on Euro summary sheet

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RAW SEQUENCE LISTING

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Input Set : N:\CrF4\01162007\J573728A.raw

Output Set : N:\CRF4\01182007\J573718A.raw

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149 <211> LENGTH: 6607
150 <212> TYPE: DNA
151 <213> ORGANISM: plasmid p15A
152 <400> SEQUENCE: 2
153 gaattaattc ttggcgaatcc tctgaccagc cagaaaacga cctttctgtg gtgaaacogg 60
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155 ggatgtttga catggtggaag actatcgcac catcagcgac aaaaacggaat ttgtgtgggt 180
156 gggctaacga tatccgcctg atcggtgaac gtgacggcag taaccaccgc gacatgtgtg 240
157 tgcgttccgc atgggcatcg caggacaact tctgttccgg taacgtgctg agcccgccca 300
158 agcttactcc ccatcccccct gttgacaatt aatcatcgcc tcgtataatg tgtggaattg 360
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163 cgccgtcagc gatatttcgc tcatccgcac caacgaagcg acgcccggta ttggcgatgt 660
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same error - sequence 3 and 4 have same error

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VERIFICATION SUMMARY

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Output Set: N:\CRF4\01182007\J573718A.raw

L:13 M:270 C: Current Application Number differs, Replaced Current Application Number